

8.25 Open Burning

- (1) PROHIBITED. No person shall burn or set any fire for the purpose of burning rubbish, brush, scrap lumber, grass, leaves, or garbage within the Village at any time, except after having been granted permission by the Village fire department chief or his designee.
- (2) EXCEPTIONS.
 - (a) Fires set by the fire department for practice or instruction of firefighters, instruction of the public or testing firefighting equipment.
 - (b) Fires set by fire or law enforcement personnel for the purpose of burning explosives or dangerous material for which there is no other safe means of disposal.
 - (c) Fires set for outdoor cooking with the following exceptions:
 1. Wood or other non-explosive fuel may be burned for the purpose of cooking or preparing foods only under constant supervision, not nearer than 10 feet to any building, in a substantial burner built of metal, concrete or brick as approved by the fire chief or designee.
 2. Propane fueled appliances and burners shall not be used above the first floor level of any porch or deck attached to a building or structure.
 - (d) Recreational bonfires may be set with the following conditions:
 1. Small bonfires may be used for recreation and roasting. The fire shall be contained in a fire ring constructed of brick, stone, or metal no larger than 36 inches outside diameter. This shall not be closer than 20 feet to any building, structure, lumber, wooden fence, or woodpile. Such fire shall be under constant supervision.
 2. The fire ring shall extend upward a minimum of 6 inches above the landscaped ground level.
 3. Fuel for bonfires shall consist of dry wood only and shall not be ignited with flammable or combustible liquids.
 4. Material for bonfires may not include rubbish, garbage, trash, any material made or coated with rubber, plastic, leather, or petroleum based materials and may not contain any flammable or combustible liquids.
 5. The maximum height of the wood fuel load for bonfires shall not exceed 18 inches above grade or the landscape.
 6. At no time shall the smoke or heat created by such burning be an annoyance or discomfort to the neighborhood or the traveling public and the fire may be ordered extinguished upon any complaint.

(e) Open burning will be allowed for small open flames for welding, acetylene torches, safety flares, heating tar, or similar applications.

(f) A bonfire may be allowed at officially sponsored activities of civic, educational, and religious organizations located within the Village subject to the granting or permission by the fire chief or his designee.

(g) Fires in metal containers on the ice during the winter season, provided the container is in good condition and located no closer than 10 feet from any building, pier, dock, or other structure.

(3) OPEN FLAME CANDLES, FIXTURES.

(a) No open flame or other flame fixtures shall be used in any public building or structure except within churches, fraternal lodges, or comparable organizations.

(b) Hurricane type fixtures with a flame or chimneys used in conjunction with candles shall be the only acceptable method for lighting or decorative purposes in any building or structure used for public amusement, recreation, or dining purposes.

(4) PENALTY PROVISION. Any person who shall violate any provision of this ordinance shall, upon conviction thereof, forfeit not more than \$500.00 for each offense, together with the costs of prosecution and may be ordered to complete community service and pay fees including restitution and reasonable attorney fees. Each day that a violation continues shall be considered a separate offense.

(5) NO WARRANTY. Nothing in this ordinance shall be interpreted as guaranteeing or warranting that any method, construction product, service, or building is free from the risk of fire. No issuance of a license or permit, approval, inspection, or other action by any Village official, employee, or agent shall constitute a warranty or guaranty that any method, construction, product, service, or building is free from the risk of fire.